REMARKS

Claim Status

Claims 1 and 10 are pending in the present application. No additional claims fee is believed to be due.

Claim 10 is amended by inserting "so as to be releasable" following the word "treated" and deleting the word "releasably." Support for the amendment can be found at page 18, lines 29-30 and page 22, lines 12-25 of the specification.

It is believed this change does not introduce any new matter. Consequently, entry of this change is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. § 112, First Paragraph

The Office Action States that the specification does not reasonably provide enablement under 35 U.S.C. § 112 First Paragraph for a barrier sheet that is treated releasably. The Office Action states that "the invention is enabled for a barrier sheet that has been treated so as to become releasable." Office Action of October 18, 2005, page 2, paragraph 1, lines 10-13 (emphasis added). Claim 10 is amended to be in the form identified by the Office Action as enabled by the specification. Therefore, the Applicants submit that Claim 10 of the present application is patentable, under 35 U.S.C. § 112 First Paragraph, and the Applicants respectfully request that the rejection be withdrawn.

Rejection Under 35 U.S.C. § 103(a) Over Mizutani (U.S. Patent 5,683,377) in view of Hanser (WO 98/42286)

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Mizutani in view of Hanser. This rejection is traversed. Mizutani in view of Hanser does not establish a *prima facie* case of obviousness because the references, when combined, do not teach or suggest all of the claim limitations of Claim 1 (see MPEP 2143.03). Mizutani and Hanser, when combined, fail to teach or suggest a flap adhesive cover covering the flap adhesive, the flap adhesive cover comprising a barrier sheet to reduce the migration of the skin care composition therethrough wherein one surface of the barrier sheet is treated with a composition comprising a component selected from the group consisting of fluorochemicals, hydrophilic polymers, inorganic particles, and mixtures thereof.

PAGE 4/6 * RCVD AT 1/18/2006 10:19:53 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:513 634 0820 * DURATION (mm-ss):01-48

Mizutani teaches a sanitary napkin comprising flaps (7), a flap adhesive (9), and a flap adhesive cover (12) covering the flaps (7). Mizutani does not teach or suggest a flap adhesive cover comprising a treated barrier sheet, as claimed in the present application.

Hanser teaches a sanitary napkin comprising a lotioned topsheet (24), flaps (52), attachment means (54), and a protective cover (25). Hanser also teaches that the protective cover (25) can be treated with silicone and polyvinyl alcohol (page 18, lines 26-page 20, line 16).

Although the protective cover (25) in Hanser covers both the flaps (52) and the topsheet (24), the protective cover (25) covering the flaps (52) and the topsheet (24) does not cover the attachment means (54), as claimed in the present application (the attachment means in the present application is the flap adhesive). Page 4, lines 5-6 of Hanser teaches that the protective cover (25) is releasably attached to both the flaps (52) and to the topsheet upper surface. As shown in Fig. 3 of Hanser, which is a top view of a sanitary napkin, the protective cover (25) covers the topsheet (24) of the sanitary napkin and the topsheet side of the flaps (52), when the flaps (52) are in an unfolded position. The protective cover (25) does not cover the attachment means (54), which are located on the backsheet side of the flaps (52). The attachment means (54) are for attaching the flaps (52) to the garment-side of the wearer's panty when the flaps (52) are folded about the panty lines along the wearer's crotch. Hanser, Page 17, Lines 2-5. The attachment means (54) are hidden from view in Fig. 3 of Hanser and are illustrated with dashed lines. The attachment means (54) are on the backsheet side of the flaps (52) in the unfolded position, not the topsheet side of the flaps (52). The attachment means (54) commonly used in the art is an adhesive. If the attachment means (54) were located on the topsheet side of the flaps (52), when the user folds the flaps (52) about her crotch panty lines, the attachment means would be oriented away from the wearer's panty and would be unable to attach to the wearer's undergarment. Therefore, Hanser does not teach or suggest a flap adhesive cover comprising a treated barrier sheet, as claimed in the present application.

Neither Mizutani or Hanser teach or suggest a flap adhesive cover comprising a treated barrier sheet, as claimed in the present application. Therefore, the Applicants submit that Claim 1 of the present application is patentable over Mizutani in view of Hanser, under 35 U.S.C. § 103(a), and the Applicants respectfully request that the rejection be withdrawn.

PAGE 5/6 * RCVD AT 1/18/2006 10:19:53 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:513 634 0820 * DURATION (mm-ss):01-48

Because Claim 10 depends upon Claim 1, Claim 10 is also allowable over Mizutani in view of Hanser and the Applicants respectfully request that the rejection be withdrawn.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 U.S.C. §§ 103(a) and 112 First Paragraph. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendment presented herein, and allowance of Claims 1 and 10 are respectfully requested.

Respectfully submitted,

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PAGE 6/6 * RCVD AT 1/18/2006 10:19:53 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:513 634 0820 * DURATION (mm-ss):01-48